IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.49703 of 2008
BINOD PASWAN
Versus
STATE OF BIHAR
---

2 10.12.2008 Heard.

Let the Sessions Judge, Saharsa, be directed to restore Bail Petition No.595/2008 filed by the petitioner Binod Paswan which was dismissed on 3.9.2008 by mentioning in the order that he was requested by the learned Public Prosecutor to reject the bail prayer of the petitioner because prayer for bail of another co-accused Chunnu Khan @ Amit Kumar has already been rejected by the court on the same day.

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It appears that the learned Sessions Judge, Saharsa, has succumbed to the pressure of the learned Public Prosecutor in dismissing the bail prayer of this petitioner. It might have taken a few minutes for perusing the Case dairy and then he could have passed the order which could have been better option for the learned Sessions Judge as his time would have been saved, besides not getting embarrassment in passing such order which could be a speaking order assigning some reasons in disposing of the bail petition.

Learned Sessions Judge shall obtain the Case diary and peruse the same thoroughly and hear the petition for bail on merit and then pass an appropriate order in accordance with law.

This petition is disposed of with the aforesaid observation.

Let this order of the Court be sent to the Sessions Judge,

Saharsa, through FAX at the cost of the petitioner to be borne by him.

SKBOSE **(Dharnidhar Jha)**

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